

<b>Country/entity</b>	Pakistan Taliban
<b>Region</b>	Asia and Pacific Cross-regional
<b>Agreement name</b>	Shakai Peace Agreement
<b>Date</b>	5 Jul 2004
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes

**Agreement/conflict level** Intrastate/intrastate conflict

**India-Pakistan Conflict (1947 - ) and the Pakistani Taliban (2001 - )**

Two distinct contexts have generated agreements.

**India-Pakistan Conflict (1947 - )**

The roots of the India-Pakistan Conflict lay in the partition of the British Indian Empire following the end of World War II, and the creation of the predominately Muslim Dominion of Pakistan (now Pakistan and Bangladesh) and the Union of India in 1947. Fuelled by Hindu and Muslim nationalism, the political partition spurred the largest mass migration as minorities sought refuge among their communal majorities. Retaliatory violence on both sides led to the deaths of 200,000 to 500,000 people.

A few weeks following the partition, Pakistan sent tribal militias into the Princely State of Jammu and Kashmir, sparking the Indo-Pakistan War of 1947. Two other wars broke out in 1965 and in 1991, as well as a number of skirmishes over the Siachen Glacier. The conflict has seen less casualties since the announcement of a ceasefire in 2003, despite frequent violations by both sides. Public unrest remains sporadic and there has been occasional actions by Islamic militants. In addition, despite a decrease in human rights conditions by occupying forces on both sides, abuses are still documented.

Another dimension of the conflict developed in 1997, after Pakistan announced a successful nuclear test. Since then there has been a proliferation of treaties ensuring clear lines of communication in regards to nuclear testing and accidents to deter accidental escalation.

**Pakistan-Afghanistan-US Conflict (2001 - )**

Since the 2000s, the Afghanistan war had a noticeable spill-over effect to Pakistan. The Afghan Taliban maintain several strongholds in the western parts of Pakistan, especially in the Northwest Tribal Region. Native Islamist guerrilla outfits also remain active in the region and in 2007 they formed the umbrella organisation known as the Pakistan Taliban until it splintered into four different groups in 2014.

Close

India-Pakistan Conflict (1947 - ) and the Pakistani Taliban (2001 - )

**Stage** Framework/substantive - partial

**Conflict nature** Government/territory

**Peace process** Pakistan-Taliban process

**Parties** The members and elders of tribe Isperka, Musa Khel, [six tribe names illegible], residents of the territory of Shakai, District Wana; South Waziristan Agency.  
[Three Signatories]

**Third parties** -

**Description** Short agreement between the residents of Wana and the South Waziristan Agency to cease protection of foreign terrorists; provide access to government agents; not hinder development; the tribe will provide protection to government officials; any foreign terrorists will be handed over. The tribes will be granted 40,000,000 rupees.

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**Agreement document** [PK\\_040705\\_Shakai Agreement.pdf \(opens in new tab\)](#) | [Download PDF](#)

**Agreement document (original language)** [PK\\_060905\\_Shakai Agreement\\_UR.pdf \(opens in new tab\)](#)

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### Groups

**Children/youth** No specific mention.

**Disabled persons** No specific mention.

**Elderly/age** No specific mention.

**Migrant workers** No specific mention.

**Racial/ethnic/national group** No specific mention.

**Religious groups** No specific mention.

**Indigenous people** No specific mention.

**Other groups** No specific mention.

**Refugees/displaced persons** No specific mention.

**Social class** No specific mention.

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## **Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **State definition**

**Nature of state (general)** No specific mention.

**State configuration** No specific mention.

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/secession** No specific mention.

**Accession/unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.

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## **Governance**

**Political institutions (new or reformed)** No specific mention.

**Elections** No specific mention.

<b>Electoral commission</b>	No specific mention.
<b>Political parties reform</b>	No specific mention.
<b>Civil society</b>	No specific mention.
<b>Traditional/religious leaders</b>	No specific mention.
<b>Public administration</b>	No specific mention.
<b>Constitution</b>	No specific mention.

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**Power sharing**

<b>Political power sharing</b>	No specific mention.
<b>Territorial power sharing</b>	No specific mention.
<b>Economic power sharing</b>	No specific mention.
<b>Military power sharing</b>	No specific mention.

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**Human rights and equality**

<b>Human rights/RoL general</b>	No specific mention.
<b>Bill of rights/similar</b>	No specific mention.
<b>Treaty incorporation</b>	No specific mention.
<b>Civil and political rights</b>	No specific mention.
<b>Socio-economic rights</b>	Human rights and equality→Socio-economic rights→Property Page 1, [Final Clause] ... In case of violation, the government would have the right to confiscate the collateral and other property, movable and immovable. We will have no excuse (justification).

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## Rights related issues

<b>Citizenship</b>	No specific mention.
<b>Democracy</b>	No specific mention.
<b>Detention procedures</b>	No specific mention.
<b>Media and communication</b>	No specific mention.
<b>Mobility/access</b>	Page 1, 3. There will no blockade to any government official's movement or any damage to government property in our territory [illegible]. We shall also not cause any hurdle in development works. ...
<b>Protection measures</b>	Rights related issues→Protection measures→Other Page 1, 3. ... Also, either on the basis of a (verifiable) report or suspicion, whenever the government or army requires assistance of tribal volunteer fighters, we will help in every way possible at the tribal level. ...  Page 1, 4. We will provide complete protection and every possible assistance to the government officials in our territory [illegible].  Page 1, ... [Final Clause] And that we will take care of and protect our territory of “___”.6 ...
<b>Other</b>	No specific mention.

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## Rights institutions

<b>NHRI</b>	No specific mention.
<b>Regional or international human rights institutions</b>	No specific mention.

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## Justice sector reform

<b>Criminal justice and emergency law</b>	No specific mention.
<b>State of emergency provisions</b>	No specific mention.
<b>Judiciary and courts</b>	No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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### **Socio-economic reconstruction**

**Development or socio-economic reconstruction** Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 1, 3. There will no blockade to any government official's movement or any damage to government property in out territory [illegible]. We shall also not cause any hurde in development works. ...

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** No specific mention.

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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### **Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian rights or access** No specific mention.

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## **Security sector**

### **Security Guarantees**

Page 1, 3. ... Also, either on the basis of a (verifiable) report or suspicion, whenever the government or army requires assistance of tribal volunteer fighters, we will help in every way possible at the tribal level. ...

Page 1, 4. We will provide complete protection and every possible assistance to the government officials in our territory [illegible].

Page 1, ... [Final Clause] And that we will take care of and protect our territory of “\_\_”.6 ...

### **Ceasefire**

No specific mention.

### **Police**

No specific mention.

### **Armed forces**

No specific mention.

### **DDR**

No specific mention.

### **Intelligence services**

No specific mention.

### **Parastatal/rebel and opposition group forces**

No specific mention.

### **Withdrawal of foreign forces**

No specific mention.

### **Corruption**

No specific mention.

### **Crime/organised crime**

No specific mention.

### **Drugs**

No specific mention.

### **Terrorism**

Page 1, 1. We shall not provide any sort of shelter or assistance to any local or foreign terrorist in our territory [illegible].

Page 1, 2. Our tribe(s) shall not condone if any foreign terrorist is found in our territory or in someone's house. We shall hand him and the one who gave him shelter, over to the authorities without any hesitation.

Page 1, 5. We will be bound to hand over the elements suspected of territory to the government without any excuse or condition.



## **Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** No specific mention.

**Courts** No specific mention.

**Mechanism** No specific mention.

**Prisoner release** No specific mention.

**Vetting** No specific mention.

**Victims** No specific mention.

**Missing persons** No specific mention.

**Reparations** No specific mention.

**Reconciliation** No specific mention.

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## **Implementation**

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/similar** No specific mention.

**Enforcement mechanism** No specific mention.

**Related cases** No specific mention.

**Source** On file with author. Sourced from FATA Tribal Affairs Office.

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